

***Law Offices of
SCHWARTZ & POSNOCK***

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Attorneys for Defendants Township of Holmdel and Patrolman

Jonathan C. Martin

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

THOMAS W. TRAMAGLINI,

Plaintiff,

vs.

PATROLMAN JONATHAN C. MARTIN,
POLICE CHIEF JOHN MIODUSZEWSKI,
HOLMDEL TOWNSHIP, LAW
ENFORCEMENT OFFICER JOHN/JANE
DOES 1-20, NON-LAW ENFORCEMENT
INDIVIDUALS JOHN/JANE DOES 1-10,
ABS ENTITIES 1-5, AND BODY POLITICS
1-5,

Defendants.

:
: Civil Action No. 3:19-cv-11915
:

**NOTICE OF MOTION IN LIEU
OF ANSWER FOR ORDER DISMISSING
COMPLAINT, WITH PREJUDICE, FOR
FAILURE TO STATE A CLAIM
PURSUANT TO F.R. Civ.P. 12(b)(6)**

To: Matthew S. Adams, Esq.
Fox Rothschild, LLP
49 Market Street
Morristown, New Jersey 07960-5122

S I R :

PLEASE TAKE NOTICE that the above defendants will move before the Honorable
Anne E. Thompson, U.S.D.J., United States District Court, District of New Jersey, Clarkson S.
Fisher Federal Building & U.S. Courthouse, 402 E. State Street, Trenton, New Jersey 08608, on

July 15, 2019, at 9:00 a.m., or as soon thereafter as counsel may be heard, for entry of an order dismissing the complaint, with prejudice, for failure to state a claim upon which relief can be granted, pursuant to Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that defendants will rely upon the Certification of David A. Schwartz, and the Memorandum of Law annexed hereto.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

SCHWARTZ & POSNOCK
Attorneys for Defendants Township of Holmdel and
Patrolman Jonathan C. Martin

/s/ David A. Schwartz
By: _____
David A. Schwartz

Dated: June 21, 2019

